

Filed Electronically on August 11, 2006

RESPONSE TO RESTRICTION REQUIREMENT Address to: Mail Stop Commissioner for Patents P.O. Box 1450 Alexandria, VA 22313-1450	Docket No.	GANG-006
	Application No.	10/714,591
	Confirmation No.	3234
	Filing Date	November 14, 2003
	Examiner	Kinsey, Nicole
	Group Art Unit	1648

Sir:

This communication is submitted in response to the Restriction Requirement dated July 20, 2006. The Examiner therein required election of one of the following groups of claims:

- Group I: Claims 1-9, drawn to a method for inhibiting growth of bacteria;
- Group II: Claims 10-13, drawn to a pharmaceutical composition comprising a
 holin-modified bacteriophage; and
- Group III: Claims 14-16, drawn to a method of making a holin-modified phage.

The Applicants hereby elect to prosecute the claims of Group II, claims 10-13, with traverse. As stated in the MPEP §803, if search and examination of an entire application can be made without serious burden, the examiner must examine the entire application on the merits, even though the entire application includes claims to independent or distinct inventions.

It is the Applicants' position that it would not be unduly burdensome to perform a search on all of the claims together in the present application. For example, a search to identify art relevant to the composition claims of Group II would at the same time identify art relevant to the method claims of Groups I and III. Accordingly, the Applicants traverse the restriction requirement.

In view of the election of the composition claims of Group II, Applicants expressly reserve the right of rejoinder of the method claims of the non-elected Groups.

The Applicants also expressly reserve the right under 35 USC §121 to file a divisional application directed to the non-elected subject matter or any subject matter disclosed in this application during the pendency of this application.

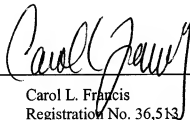
The Commissioner is hereby authorized to charge any fees under 37 C.F.R. §§ 1.16 and 1.17 which may be required by this paper, or to credit any overpayment, to Deposit Account No. 50-0815, order number GANG-006.

Respectfully submitted,
BOZICEVIC, FIELD & FRANCIS LLP

Date:

Aug 11, 2006

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